



Department of Justice

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MARTINSVILLE MAN INDICTED ON FEDERAL GUN CHARGES, FACES UP TO TEN YEARS IN PRISON

Latest local results in ongoing U.S. Attorney's Violent Crime Initiative

PRESS RELEASE

MARTINSVILLE – Josh Minkler, First Assistant U.S. Attorney, announced today the federal indictment of Martinsville resident Thomas E. Behling II, age 44, on charges that he illegally possessed multiple firearms as a convicted felon.

“Over the last 18 months, the U.S. Attorney’s Office has focused on working closely with our law enforcement partners here in Morgan County and across the state,” Minkler said. “Today’s indictment is yet another prosecution to develop as a result of this important federal-local collaboration.”

The indictment alleges that between December 2011 and January 2012, Behling illegally possessed numerous firearms, including a Marlin .35 caliber rifle, as well as two Winchester 30-30 caliber rifles.

Behling’s prior felonies include convictions for the possession of cocaine in Marion County (2001 and 2004), residential entry in Morgan County (2002), theft in Hendricks County (2003), identity theft in Morgan County (2006), and domestic battery in Morgan County (2009). This indictment follows an investigation by the Bureau of Alcohol, Tobacco, Firearms and Explosives and the Department of Justice.

Announced in March of 2011, the Violent Crime Initiative (VCI) represents a district-wide strategy to work with local law enforcement and county prosecutors to combat drug traffickers and criminals that use and carry firearms in their illegal activities. In the first nine months of the initiative, the VCI produced a dramatic increase in the number of gun-related charges brought federally – from just 14 felony possession charges in 2010 to 103 last year.

Already in 2012, 21 felon in possession charges have been filed as part of the VCI, putting the office on pace to exceed last year's total.

According to Assistant U.S. Attorney Doris L. Pryor, who is prosecuting the case for the United States, Behling faces a possible penalty of up to 10 years imprisonment, a fine of up to \$250,000, and up to three years of supervised release upon release from imprisonment if he is convicted. An initial hearing will be scheduled before a U.S. Magistrate Judge in Indianapolis.

An indictment is only a charge and is not evidence of guilt. A defendant is presumed innocent and is entitled to a fair trial at which the government must prove guilt beyond a reasonable doubt.

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